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Alana Kriegsmann

/Alana G. Kriegsmann/

May 15, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Patrick Renee Angibaud et al.

Serial No.: 10/507,271

Art Unit: 1624

Filed: September 09, 2004

Confirmation Number: 4912

For : AMINOCARBONYL-DERIVATIVES AS NOVEL INHIBITORS OF
HISTONE DEACETYLASE

Mail Stop: Patent Application (Response)
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ELECTION

This is in reply to the Office Action mailed February 15, 2007. The Examiner has required restriction among 6 groups. The request is traversed on the grounds that the Examiner's assertion that the defined Groups I-VI are "not so linked as to form a single general inventive concept under PCT Rule 13.1" lacks the required support. It is submitted that the burden is on the Examiner to cite appropriate prior art to clearly show that the defined Groups clearly have distinct status in the art. Failing that, a restriction requirement is not proper. It is further submitted that in view of the fees charged for filing of divisional patent applications and prosecution and maintaining the resulting patents places an undue burden on the Applicant, which requires that any restriction or election requirement be clearly supported and made according to the rules.

Nonetheless, Applicant provisionally elects Group III. For search purposes, Applicants elect the following species which reads upon the elected Group: Compound No. 6 as shown in the Table (second row, right column) in the Specification at page 15.

EXTENSION OF TIME

It is requested that the period for filing a response to the present office action be extended two months to May 15, 2007. The Commissioner is hereby authorized to charge the extension fee of \$450.00 any other fees which may be required by this paper to Deposit Account 10-0750/PRD2025USPCTAGK.

CONCLUSION

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD2025USPCT/AGK.

Respectfully submitted,

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